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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/771,060	02/04/2004	Gaku Minamihara	04329.3238	2231

7590 07/15/2008
Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.
1300 I Street, N.W.
Washington, DC 20005-3315

EXAMINER

GOODWIN, DAVID J

ART UNIT	PAPER NUMBER
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2818

MAIL DATE	DELIVERY MODE
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07/15/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 6/10/08 have been fully considered but they are not persuasive.
2. The applicant argues that the prior art does not teach a compression elastic modulus between 300 and 600MPa, that Saka teaches a composite pad having a compression elastic modulus of 60 MPa.
3. The applicant will note that Saka teaches that a method that comprises a polishing pad having a compression elastic modulus of 500MPa, Column 11 lines-55-65). Although additional substrate may affect the overall modulus, said additional substrata will not change the elastic modulus of the layer. The applicant has not, in the claim, precluded additional substrata such additional substrata or lack thereof will not distinguish the application from the prior art. MPEP 2111.03.
4. The applicant argues that the prior art does not teach disposing the polishing pad on a turntable.
5. The applicant will note that the rejection relied upon Shimigaki to teach disposing a polishing pad on a turntable. As a polishing pad would be useless without the appropriate equipment to conduct a polishing process, it is considered very obvious to dispose a polishing pad on a turntable.
6. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208

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USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID GOODWIN whose telephone number is (571)272-8451. The examiner can normally be reached on Monday through Friday, 9:00am through 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Loke can be reached on (571)272-1657. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

djg

/Steven Loke/

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Supervisory Patent Examiner, Art Unit 2818